IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 1004 of 2003

For Approval and Signature:

Hon'ble MR.JUSTICE KUNDAN SINGH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

PATEL JYOTSNABEN JAGATKUMAR

Versus

CENTRAL GOVERNMENT OF INDIA MINISTRY OF EXTERNAL AFFAIRS

Appearance:

1. Special Civil Application No. 1004 of 2003

MR YV BRAHMBHATT for Petitioner No. 1

MR DN PATEL for Respondent No. 1

DS AFF.NOT FILED (R) for Respondent No. 1,2

CORAM : MR.JUSTICE KUNDAN SINGH

Date of decision: 11/02/2003

ORAL JUDGEMENT

1. By means of this petition, the petitioner has

sought for direction to the respondent authority to make correction in the birth date of the petitioner as 5h August, 1960 in place of 1st July, 1960 as well as birth place as Marghavi, Rangoon in place of Unjha Mehsana, Gujarat and for issuance of fresh passport.

2. Learned counsel for the petitioner submitted that the application for that purpose has already been moved before the respondent authority but the respondent authority requires some orders of the competent court of law as they have no power or authority to make such correction in the passport already issued to the petitioner.

3. In the facts and circumstances of this case, this application is allowed with a direction to the respondent authority to decide the application filed by the petitioner for correction of the birth date as well as birth place of the petitioner in the passport on the basis of the material produced on record in accordance with law, within a period of four weeks from the date of presentation of a certified copy of this order. The respondent authority would be at liberty to pass appropriate order with regard to costs of these proceedings. Rule is made absolute to the aforesaid extent. D.S. is permitted.

(Kundan Singh, J.)

/JVSatwara/